Fall 2017

The Osgoode Brief (Fall 2017)

Osgoode Hall Law School of York University

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The Winds of Change are Blowing for Students, Staff and Faculty with Disabilities

Access to Law and Learning (ALL) helps students with financial need prepare for LSAT

First Law in Action Within Schools (LAWS) alumna accepted into Osgoode

Osgoode Addresses Barriers to Accessibility
Accessibility is the theme of the Access Osgoode 2017–2020 Plan and reflects our shared belief that a commitment to excellence in legal education and research must be accompanied by commitments to accessibility and inclusion.

This commitment ought to be holistic – it affects all aspects of Osgoode, from our Admissions policies to our alumni outreach, from what we teach to how we teach it, to our research and how we share it, and includes our aspiration to thought leadership on legal frameworks of accessibility and, of course, access to justice.

For many, accessibility conveys the promise that Law School places and spaces can be reached by all. This goal has led us to a renewed focus on Osgoode’s main building on the York University campus and how to ensure these spaces welcome everyone. Osgoode’s spaces, however, also include our virtual and digital activities. Students, staff and faculty with a range of disabilities have been working collaboratively with Osgoode staff to improve the accessibility of our academic infrastructure. This shift might be as simple as switching from PDFs to more accessible Word documents or as complex as attempting to revamp Law School exams and evaluation based on principles of universal design.

One of the most important aspects of accessibility relates to the student, staff and faculty experience at Osgoode. No one should feel like an outsider in their own community, and yet we know how common this sense of not “fitting in” is felt – particularly with students from equity-seeking groups who may also be among the first in their family to attend university or law school. Because we know impressions of who “belongs” at law school are formed long before a student arrives, Osgoode also has proudly participated in programs like Law in Action Within Schools (LAWS) and our own Access to Law and Learning (ALL), which seek to encourage more people to see the legal profession and the justice system as their own.

While mentorship and supports are invaluable, sometimes accessibility simply cannot be achieved without resources - especially in an environment of rising tuition. Osgoode invests more than $5 million annually in financial aid through a host of programs, from scholarships and bursaries to specialized only-at-Osgoode initiatives like the Wendy Babcock Graduation Bursaries and the Income Contingent Loan Program (which we are significantly expanding this year to reach even more students).

With these programs, and with more paid summer internships and research assistantships geared to students in financial need, we continue to pursue opportunities to reduce student debt, and reduce financial barriers for our students. It is especially heartening to see so many alumni step up to support these accessibility efforts both through our Annual Campaign and through special bursaries and matching programs. This year marks the 25th anniversary of my own graduation from Osgoode, and for this reason I took special pride in congratulating my classmate Clive Anderson ’92 on his generous gift to Osgoode to establish the Clive Anderson Fund for Student Life to enhance the quality of student life at Osgoode, particularly for members of Osgoode’s thriving Black Law Students’ Association.

Accessibility is not simply the flavour of the month at Osgoode – it is in our DNA. And yet, even as we broaden the ways in which accessibility comes to define our community, we see even more vividly how much work there is left to do before we can say we have done justice to this shared value. I look forward to your engagement, support and ideas and to having you join us on this journey in whatever ways you can!
Abdalla Barqawi, a visually impaired third-year Osgoode JD student, has to have all of his course reading materials transcribed into an accessible format.

The transcription process, handled by Accessibility Services located in York University’s Scott Library, takes time. Last year, it was sometimes painfully slow.

“For my Commercial Law course last year, I got my readings from the transcription department three weeks after classes began. I was multiple chapters behind,” a frustrated Barqawi recalls. By way of contrast, he asked his Evidence professor if she would contact the publisher for an accessible version of her book to be used in her course. She did, and a short time later Barqawi received the book.

“We need to change how we do things,” says Barqawi who was delighted to learn recently that, thanks to overtures by the Osgoode Office of Admissions & Student Services, Accessibility Services has made changes for the coming year. “They have now switched to a system whereby they will get all of the recently published books from publishers directly instead of scanning them by hand. They will only scan documents or books that are not available from publishers. This system has been working great so far – I have all of my readings for the fall term already.”
Ensuring that accessible course materials are available in a timely fashion is one of several areas of concern that Barqawi and others have raised with Osgoode’s administration and other members of the Osgoode community in an effort to improve accessibility for students with disabilities.

The spirit of these accessibility discussions has been constructive and positive in large part because Osgoode’s commitment to diversity and inclusion is widely recognized and hailed. Concerted efforts are well underway – to borrow a phrase from Barqawi – to “change how we do things” at the Law School.

“My experience at Osgoode has been amazing. The accommodations I get are a crucial part of that. It’s a matter of thinking how best to move forward,” says Barqawi whose view of an accessible law school is “one that is designed in a way that accommodations are not required.”

LEADERSHIP ROLE

Taking a leadership role among law schools in addressing barriers to accessibility – be they financial barriers in the face of rising tuition and high student debt, pedagogical barriers with respect to the accessibility of our academic program and services, or physical barriers having to do with our buildings and IT infrastructure – is one of Osgoode’s top priorities.

Access Osgoode, the School’s new strategic plan, states that while the School is committed to addressing all barriers to accessibility, the Law School “is particularly mindful of the challenges faced by law students with disabilities.” About 13 per cent of the School’s 900 JD students are being accommodated because they have recurring physical, mental, sensory, psychiatric or learning impairments.

Over the three-year term of the strategic plan, the School has pledged to continue to strengthen its accommodation practices and policies; move incrementally toward principles of “universal design” in the design and delivery of the curriculum as well as approaches to student evaluation; and develop approaches to accommodation and accessibility suited to its clinical and intensive programs.

EXPERIENTIAL EDUCATION SETTINGS

This year, the Office of Admissions & Student Services, together with the Clinical Education Committee, implemented a new policy and protocol for providing students with accommodations in experiential education settings.

“This involves encouraging students to self-identify as being in need of accommodation at the time they are enrolled in a particular clinical program and working collaboratively with the student, the Academic Director of the particular program, and York Counselling & Disability Services to develop a customized accommodation plan,” says Mya Rimon, Assistant Dean, Students at the Law School.

Osgoode Dean Lorne Sossin is also working with others at York to develop a University-wide policy and process by which faculties can request funding to fill gaps where accommodations require additional resources. Observes Sossin: “Inclusion is a long cherished ideal at Osgoode, but it is never self-executing. Achieving it involves determined and creative leadership from many parts of the Law School and University communities, including students, staff, faculty and community partners.”

Other accessibility initiatives are also in progress.

Barqawi, who will graduate from Osgoode next spring and begin serving as a law clerk at the Supreme Court of Canada, and fellow third-year JD student Ben Fulton, who is blind, are participating in a focus group at Osgoode that is looking at the Law School building’s accessibility for visually impaired and blind persons.

Focus group members also include two professors and two staff members. Visiting Professor and focus group member David Lepofsky ’79, a well-known accessibility activist who is blind, has been quoted in the media as saying that publicly-financed buildings such as the Centennial College Culinary Arts Centre, the new Women’s College Hospital and Osgoode Hall Law School have accessibility problems. He has urged the Ontario government to enact an Education Accessibility Standard under the Accessibility for Ontarians with Disabilities Act as well as a comprehensive Built Environment Accessibility Standard.

“We are trying to find solutions that work in our building,” says Phyllis Lepore Babcock, the School’s Executive Officer who is chairing the focus group. “One significant physical barrier in the building is the pillars in Gowlings Hall. Focus group members also include two blind persons.

In 2015, Fulton founded the Daredevils in Training Organization (DITO) “to ameliorate the position of blind students” at Osgoode, DITO, which has been endorsed by Osgoode Student Caucus and the Legal & Literary Society, has subsequently expanded its mandate to encompass “all students facing unique challenges.”

In a relatively short period of time, DITO has been successful in enhancing awareness of accessibility among members of the Osgoode community. The group has proposed a number of actions the School might take to improve accessibility for students with disabilities – from having a designated staff person responsible for providing or facilitating accommodations to students, to offering training to professors on how to design courses in accordance with universal design, and close captioning recorded lectures for deaf students.

INCLUSIVE DESIGN

Last April, Sossin invited Professor Jutta Treviranus, Director of the Inclusive Design Research Centre (IDRC) at OCAD University in Toronto, for lunch at Osgoode to discuss universal design in course design, delivery and evaluation. A key principle of “inclusive design” (the term she prefers) is that “one-size-fits-one,” Treviranus explained. That means that a mass solution – a standardized test for the entire class, for example – does not work well. The more worthwhile and meaningful way to measure intellectual accomplishment is to create a variety of assessments and let students choose which assessment works best for them.

Following Treviranus’s visit, Sossin expressed his eagerness to be “a part of the real-time journey from less to more inclusive design in legal education.” He acknowledged, though, that inclusive design while it “opens up intriguing options for customizing evaluation to fit varying circumstances,” also presents challenges regarding how “to achieve goals of comparability and transparency, and maintain the integrity of the grading system.”

Ellen Schlesinger, Student Success and Wellness Counsellor at the Law School, provides mental health counselling to students. She mostly sees students with “invisible disabilities” who are dealing with anxiety and depression. Starting from the first day of Law School,
she lets students know that seeking accommodations for mental health are part of their “toolkit for success” and she works closely with Student Services staff, student group leaders and faculty to advocate for programming that improves the mental health of students. Emphasizing students’ capabilities and resources, building on small successes, and transmitting encouragement through authentic, collaborative relationships are the approaches she takes to assist students to thrive.

Still, Schlesinger says that there is a ways to go before accessibility - what the IDRC defines as “the ability of the system to match the requirements of the individual” - is fully realized at the Law School. Osgoode has embraced diversity and inclusion in its admissions and hiring policies and practices, but the design of the legal education system itself “hasn’t evolved to the same extent,” Schlesinger says. “It presumes homogeneity.”

**INTEGRATING STUDENTS WITH DISABILITIES**

Second-year JD student Curtis Sell believes that the Law School could do a better job of integrating students with disabilities, particularly “extended-time” students, into the Osgoode community.

Sell has multiple learning disabilities that have had significant implications for his academic experience. His processing speed and working memory difficulties can make it challenging to take notes in class and have necessitated his getting additional time to complete assignments.

“I have had an extraordinarily fulfilling time at Osgoode,” Sell says. “With that said, Osgoode could more effectively integrate extended-time students into the Osgoode community. Professors should be made more aware that extended-time students are in their classes and plan lessons and evaluations accordingly. The establishment of a Dean’s Fellow (who is Sell this year) for the extended-time program should help remedy these challenges.” This year, Osgoode is also launching its Flex-Time initiative, including for the first time evening classes in first-year law courses as a first step in responding to law students’ desire for greater flexibility in their legal education.

Third-year JD student Latisha Reddick was instrumental in helping to organize last October’s Communities in Support of Mental Health Week at the Law School that was aimed at promoting mental health awareness and reducing the stigma surrounding mental illness. The week’s programming included everything from wellness sessions and a “Be there, Done That” panel discussion offering advice from alumni, to a visit from a traditional healer, and a meet-and-greet with therapy dogs.

Reddick says she made the decision to get involved with Mental Health Week after seeing people around her who were dealing with issues “that heightened their fears that they’re not good enough to be here. I really wanted to take the pressure off the individual and say that this needs to be a community-wide commitment.”

Like Bargawi, Reddick longs for the day when barriers to accessibility at the Law School will be completely removed. She says the winds of change have begun to blow but it’s going to take “more time and more resources” to get to where the Law School needs to be. “If we can centre our legal education system on the priorities of mental health and accessibility then the School itself will be accessible to anyone,” she says. “But we don’t do that, we’ll simply continue to fund alternative services for students who feel like they’re drowning in a system that wasn’t designed with them in mind.”

Virginia Corner is Osgoode’s Communications Manager.

Qasid Iqbal enrolled in the Law & Society undergraduate program at York University thinking that one day he might like to go to law school.

When it came time for him to prepare for the Law School Admission Test (LSAT), however, Iqbal was faced with a more important priority. His father was ill and could no longer work; the money he was earning from working part-time while attending York was going toward helping out his family.

“I knew that an LSAT Prep course would be a good investment in the long run, but I just felt that the money was better spent on my family,” he says. Fortunately for Iqbal, Osgoode’s Access to Law and Learning (ALL) - a free course to help high-potential university students with financial need prepare for the LSAT - was available to him.

A total of 50 students participate every year in ALL, which is generously sponsored by Borden Ladner Gervais LLP. The program, which runs three nights a week at the Law School from early June to the end of August and is taught by an Osgoode JD student, provides free comprehensive LSAT preparation, including study materials, practice tests and online support. In addition, students learn about law school and the legal profession through discussions, panels and round tables with current law students and legal professionals on topics such as the law school admissions process; finding a legal education; maintaining balance while in law school; and the variety of career options for law school graduates. Nicole Salama, Program Lawyer in the Office of the Dean administers ALL in collaboration with Alissa Cooper, Vicky Factivis and Amanda Wassermuhl in the Office of Admissions & Student Services. Salama says the program is aligned with Osgoode’s commitment to diversity and inclusion.

“We want to create a more diverse legal profession and we want to create a more diverse law school and I believe that ALL helps do that.” Nicole Salama

Jessica Cheng, a single mother of a five-year-old son and a graduate of Ryerson University’s Arts & Contemporary Studies program who aspires to be a lawyer, describes her ALL experience as “an excellent opportunity” and “very, very helpful.” In addition to helping her prepare for the LSAT, attending ALL also familiarized her with York and the commute to the campus from her downtown Toronto home.

In the last three years, 12 students who have gone through ALL at Osgoode have been accepted for admission into the School’s JD program, and Iqbal and Cheng are among them. Another 12 ALL students have been accepted to other law schools in Ontario.

Preparation courses are not a prerequisite for a good performance on the LSAT, nor do they guarantee a higher score than preparation by a student on their own. Still, Cheng says, “ALL really changed my life for the better.”
My family has always struggled financially. Neither of my parents graduated from high school. My academic success as a result was viewed as critical for my own prosperity. Education became an avenue that guaranteed opportunities as well as financial stability.

Osgoode Welcomes its First LAWS Alumna

Law in Action Within Schools (LAWS) – the academic and extracurricular program run by Osgoode Hall Law School, the University of Toronto Faculty of Law and the Toronto District School Board that teaches young people about the law and supports them to succeed in school – is feeling on top of the world these days.

The reason for the jubilation is that LAWS alumna Michelle Ho, 22, has received and accepted an offer of admission to Osgoode, making her the first ever LAWS alumna to be accepted into the School’s JD Program. She started at Osgoode in September.

“Michelle is an incredible young woman who has worked so hard to overcome many obstacles along the way,” says Eleonora Dimitrova, Acting Director of the LAWS Program. “We couldn’t be more proud of her accomplishment.”

Ho, who graduated from York University earlier this year with a double major in Law & Society and Gender & Women’s Studies, was in the LAWS Program at Harbord Collegiate Institute for three years. Later, she completed two years as a work-study student with LAWS.

For a young woman who “had never really stepped out of Chinatown” where she lives with her parents and sister, LAWS was a game-changer. “My family has always struggled financially. Neither of my parents graduated from high school. My academic success as a result was viewed as critical for my own prosperity. Education became an avenue that guaranteed opportunities as well as financial stability. When I told my parents I was taking part in the LAWS Program, they were very excited.”

Through the LAWS Program, Ho discovered “the breadth and diversity of law” and developed a special interest in family law, human rights law and disability law. For three summers, she also had the opportunity to participate in a month-long paid internship. That’s how she came to be employed with the City of Toronto, Epstein Cole LLP and Osler Hoskin & Harcourt LLP.

“They were places that I honestly never thought I would ever be able to enter and feel comfortable in,” Ho says.

Osgoode alumni in particular have supported LAWS tremendously by hiring high school students through the LAWS Summer Job Program and mentoring them through the LAWS Law Firm Mentoring Program.

While serving as a work-study student at LAWS, Ho’s responsibilities included supporting LAWS programming at Westview Centennial Secondary School and C.W. Jefferys Collegiate Institute; providing academic help and mentorship to high school students; helping coordinate law student volunteers; general administrative support; facilitating workshops; and liaising with members of the legal community.

“I think my fascination with law really developed through the LAWS Program,” Ho says. “It taught me a lot about advocacy – not only advocacy for myself, but advocacy for other individuals. Now that I’ve been accepted into Osgoode, I’m looking forward to learning so much more about how I can help advocate for others.”

To date, more than 600 students have graduated from LAWS, with many of them pursuing careers in the justice sector. In addition, LAWS has more than 300 volunteers including law students, lawyers, professors, judges and justices of the peace, and partners with over 80 legal organizations throughout the City of Toronto.

My family has always struggled financially. Neither of my parents graduated from high school. My academic success as a result was viewed as critical for my own prosperity. Education became an avenue that guaranteed opportunities as well as financial stability.
The William Osgoode Society

The William Osgoode Society was established to honour Osgoode's most generous donors. Named after the first Chief Justice of Upper Canada, the Society reflects the School's long history and important influence on legal education. Members in the Society include individuals, law firms, foundations and associations whose cumulative paid gifts total more than $15,000. Members who have given more than $50,000 will also be recognized in the York University Honour Court.

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The Thomas Brown Phillips Stewart Society

Thomas Brown Phillips Stewart (1865–1892) was admitted to Osgoode Hall as a student-at-law in Michaelmas Term in 1888. Sadly, he became ill and died at the early age of 27 before he could graduate. He left a portion of his estate to establish a student library at Osgoode Hall, which later became the largest law library in Canada.

The Thomas Brown Phillips Stewart Society was created to commemorate Thomas Brown Phillips Stewart as Osgoode’s first benefactor and to honour all those who, like this generous young man, made Osgoode Hall Law School a part of their legacy through a planned gift.

Membership in the Society is offered to those alumni and friends who wish to donate to Osgoode by means of a planned gift including charitable bequests, life insurance or other future arrangements. All members will be recognized annually in the Osgoode Hall Law School Report on Giving.

We would be pleased to discuss with donors and their advisors, the many areas within the Law School where bequests can be directed. We do appreciate the opportunity to review the terms of a Will (especially for specific bequests) before they are finalized, so we can confirm our ability to accept and fulfill the gift’s intent.

For more information, please contact Anita Herrmann, Director, External Relations & Communications Office at 416-736-5364 or aherrmann@osgoode.yorku.ca.

The Gold Key Awards honour the outstanding achievements and contributions of Osgoode alumni in the following categories:

- **Achievement**: Recognizes exceptional professional achievement
- **Public Sector**: Recognizes outstanding service of public sector or government lawyer
- **One-to-Watch**: A recent graduate who demonstrates the promise of future leadership

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Created in memory of Professor Dianne Martin ’76, this medal is awarded to a member of the Canadian legal community who has exemplified Dianne’s commitment to law as an instrument for achieving social justice and fairness.

**Service**

Recognizes significant contributions to Osgoode and/or the Alumni Association

**Deadline for receipt of nominations is April 2, 2018**

Recipients will be presented with the award at the Dean’s Annual Alumni Reception on May 16, 2018.

For more information or to submit a nomination, please go to osgoode.yorku.ca/alumni or contact:

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